

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

XPERTTECH INC,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION
)	NO. 20-10074
CAREOFF, INC.,)	
and NITIN GANPAT AWTE,)	
)	
Defendants.)	

SCHEDULING ORDER

Following the initial scheduling conference held on June 15, 2020 in accordance with Fed. R. Civ. P. 16(b) and Local Rule 16.1, it is hereby ORDERED as follows:

1. At this time, discovery shall not include the defendants' apps' technical information.
2. The court adopts the following deadlines proposed by the parties in their Joint Statement (Docket No. 10):
 - (a) All fact discovery shall be completed by **December 8, 2020**.
 - (b) Each party may take up to ten (10) depositions. Additional depositions may be taken only by consent or by leave of Court. The parties shall complete all fact witness depositions by **December 8, 2020**.
 - (c) The parties shall file any dispositive motions by **April 25, 2021**. Any opposition shall be filed within 21 days from service of the motion; and any reply shall be filed within 14 days from service of the opposition.
 - (d) Any concise statement of material facts that is filed pursuant to Local Rule 56.1 in opposition to a motion for summary judgment shall include numbered paragraphs admitting or denying, paragraph by paragraph, the facts

contained in the moving party's concise statement of material facts.

3. The plaintiff shall complete any expert disclosures, pursuant to Fed. R. Civ. P. 26(a)(2), by **January 8, 2021**.

4. The defendant shall complete any expert disclosures, pursuant to Fed. R. Civ. P. 26(a)(2), by **February 8, 2021**.

5. All expert depositions shall be completed by **March 25, 2021**.

6. As part of any L.R. 7.1 consultation in connection with any issue to be brought to the court's attention, the parties shall discuss and try to reach an agreement as to the appropriate way to bring the dispute to the attention of the court, including whether full briefing and/or in-person oral argument is necessary. The parties shall notify the court of their proposal as to how best to proceed.

7. The next status conference is scheduled for **November 18, 2020 at 10:00 a.m.** The location and format of the status conference will be determined by the court at a later date. At that time, the parties shall be prepared to discuss:

- (a) the status of the case;
- (b) scheduling for the remainder of the case through trial; and
- (c) use of alternative dispute resolution programs.

8. The parties shall submit a brief joint statement no later than three (3) business days before the conference addressing the issues itemized in paragraph 7 above. With respect to the use of ADR, the parties shall indicate whether an agreement has been reached, but shall not identify their respective positions.

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

DATED: June 15, 2020